

CALIFORNIA LEGISLATURE

2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED SIXTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento

Thursday, March 12, 2020

The Senate met at 9 a.m.

Hon. Connie M. Leyva, of the 20th District, presiding.

Secretary Erika Contreras at the Desk.

Assistant Secretary Dylan Goldstein reading.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE**ROLL CALL**

The roll was called and the following Senators answered to their names:

Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Umberg, Wieckowski, Wiener, and Wilk—33.

Quorum present.

(NOTE: Senator Hueso will be excused this day on personal business. Senators Lena Gonzalez and Skinner will be excused this day due to illness. Senators Bradford, Dahle, and Monning will be excused this day to attend a funeral.)



PRAYER

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

I cannot say where courage lives,
Only that it comes to the heart that is open,
To the heart that asks,
To the heart that does not turn away.
It can take practice,
Days of tugging at what keeps us bound,
Seasons of pushing against
What keeps our dreaming small.
When it arrives, it might surprise us
By how quiet it is,
But we will know it by the strength
That rises from within . . .
We will recognize it by how still our fear becomes
Perhaps never quite leaving,
But calmly turning into joy
As we enter the life that is finally our own.

(Adapted from *Blessing of Courage* by Jan Richardson)

Gracious God, thank You for the women who have inspired us to greater courage in our lives.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Durazo led the Senate in the Pledge of Allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, March 12, 2020

Madam President: The Committee on Rules has examined:

SB 799 SB 864 SB 890 SB 933
SR 72

And reports the same correctly engrossed.

ATKINS, Chair

Senate Chamber, March 12, 2020

Madam President: The Committee on Rules has examined:

SCR 88

And reports the same correctly engrossed.

ATKINS, Chair

MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

Without objection, the following Senate Journals were approved as corrected by the Minute Clerk:

March 9, 2020 March 10, 2020 March 11, 2020
March 12, 2020



**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 1124—An act to add and repeal Section 1343.3 of the Health and Safety Code, relating to health care service plans, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**MOTIONS, RESOLUTIONS AND NOTICES
RE-REFERENCE TO COMMITTEE
PURSUANT TO SENATE RULE 29.10(c)**

Pursuant to Senate Rule 29.10(c), **AB 1124** was re-referred to the Committee on Rules.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

Consideration of Governor's Appointments

Senator Atkins placed the following Governor's appointment before the Senate:

CAROLINE A. SIEGEL-SINGH, Member, California Student Aid Commission.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Atkins moved a call of the Senate.

Motion carried.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)**

Consideration of Governor's Appointments

Senator Atkins placed the following Governor's appointment before the Senate:

SAMANTHA J. MURRAY, J.D., Member, Fish and Game Commission.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Atkins moved a call of the Senate.

Motion carried.



CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS**

Senate Concurrent Resolution 85—Relative to Women and Girls in STEM Week.

Resolution read third time and presented by Senator Chang.

Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Chang moved a call of the Senate.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS**

Assembly Concurrent Resolution 168—Relative to California Kidney Day.

Resolution read third time and presented by Senator Nielsen.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (33)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

PRIVILEGES OF THE FLOOR**SPECIAL INTRODUCTIONS**

Senator Allen introduced Maria Leon Vasquez and members of the California Community College Association for Occupational Education, in honor of their visit to the California State Senate.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (GOVERNOR'S APPOINTMENTS)**

On motion of Senator Atkins, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the appointment of Caroline A. Siegel-Singh was confirmed by the following vote:

AYES (24)—Senators Allen, Archuleta, Atkins, Beall, Caballero, Dodd, Durazo, Galgiani, Glazer, Hertzberg, Hill, Hurtado, Jackson, Leyva, McGuire, Mitchell, Pan, Portantino, Roth, Rubio, Stern, Umberg, Wieckowski, and Wiener.

NOES (4)—Senators Bates, Grove, Jones, and Morrell.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (GOVERNOR'S APPOINTMENTS)**

On motion of Senator Atkins, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the appointment of Samantha J. Murray, J.D. was confirmed by the following vote:

AYES (33)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SCR 85)**

On motion of Senator Chang, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SCR 85 was adopted by the following vote:

AYES (33)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Above resolution ordered transmitted to the Assembly.

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day on personal business: Senator Hueso.

The following Senators were granted leaves of absence for the day due to illness: Senators Lena Gonzalez and Skinner.

The following Senators were granted leaves of absence for the day to attend a funeral: Senators Bradford, Dahle, and Monning.



**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 9:42 a.m., on motion of Senator Atkins, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Atkins moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, March 16, 2020.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, March 11, 2020

The Committee on Rules has referred the following measures to committee:

Business, Professions and Economic Development—SB 1347, SB 1401, SB 1421, SB 1430, SB 1431, SB 1432, SB 1435, SB 1462, SB 1463, SB 1464, SB 1465, SB 1466.

Education—SB 1355, SB 1394, SB 1417, SB 1423, SB 1444.

Elections and Constitutional Amendments—SB 1397, SB 1468.

Energy, Utilities and Communications—SB 1321, SB 1346, SB 1358, SB 1365, SB 1381, SB 1403, SB 1422, SB 1447.

Governance and Finance—SB 1333, SB 1357, SB 1413, SB 1415, SB 1441.

Governmental Organization—SB 1337, SB 1420.

Human Services—SB 1341, SB 1418.

Insurance—SB 1359.

Judiciary—SB 1331, SB 1334, SB 1371, SB 1382.

Labor, Public Employment and Retirement—SB 1344, SB 1412, SB 1414.

Natural Resources and Water—SB 1380, SB 1396, SB 1429.

Public Safety—SB 1066, SB 1326, SB 1354, SB 1375, SB 1391, SB 1395.



Rules—SB 1322, SB 1325, SB 1327, SB 1328, SB 1330, SB 1332, SB 1335, SB 1336, SB 1338, SB 1343, SB 1345, SB 1351, SB 1356, SB 1360, SB 1364, SB 1367, SB 1368, SB 1370, SB 1376, SB 1379, SB 1383, SB 1384, SB 1385, SB 1386, SB 1387, SB 1388, SB 1392, SB 1393, SB 1398, SB 1399, SB 1400, SB 1404, SB 1406, SB 1409, SB 1411, SB 1416, SB 1419, SB 1424, SB 1425, SB 1426, SB 1427, SB 1428, SB 1433, SB 1434, SB 1436, SB 1437, SB 1438, SB 1439, SB 1440, SB 1442, SB 1443, SB 1448, SB 1449, SB 1451, SB 1452, SB 1453, SB 1454, SB 1455, SB 1458, SB 1459, SB 1460, SB 1461, SB 1469, SB 1470, SB 1471.

Transportation—SB 1339, SB 1366, SB 1374, SB 1377, SB 1390, SB 1456.

The Committee on Rules has referred the following measures to two or more committees:

Business, Professions and Economic Development and Education—SB 1467.

Business, Professions and Economic Development and Veterans Affairs—SB 1324.

Education and Environmental Quality—SB 1361.

Education and Governmental Organization—SB 1402.

Education and Health—SB 1369.

Elections and Constitutional Amendments and Governance and Finance—SB 1450.

Energy, Utilities and Communications and Environmental Quality—SB 1352.

Environmental Quality and Judiciary—SB 1378.

Environmental Quality and Natural Resources and Water—SB 1323, SB 1362.

Environmental Quality and Natural Resources and Water and Governance and Finance—SB 1329.

Environmental Quality and Transportation and Housing—SB 1363.

Governance and Finance and Education—SB 1389.

Governance and Finance and Judiciary and Housing—SB 1410.

Governance and Finance and Natural Resources and Water—SB 1349.

Governance and Finance and Transportation—SB 1373.

Governmental Organization and Business, Professions and Economic Development—SB 1457.



Health and Business, Professions and Economic Development—SB 1407.

Housing and Business, Professions and Economic Development—SB 1340.

Human Services and Appropriations—SB 1350.

Insurance and Health—SB 1342.

Natural Resources and Water and Environmental Quality—SB 1348.

Public Safety and Human Services—SB 1446.

Transportation and Governance and Finance—SB 1408.

Transportation and Judiciary—SB 1353, SB 1445.

Transportation and Natural Resources and Water—SB 1372.

Senate Chamber, March 12, 2020

Madam President: The Chair of the Committee on Rules, to which was referred:

SB 939

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ATKINS, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 939—An act relating to marine resources.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Committee on Public Safety

Senate Chamber, March 12, 2020

Madam President: The Chair of the Committee on Public Safety, to which was referred:

SB 941

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SKINNER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 941—An act to amend Sections 28230 and 30370 of the Penal Code, relating to firearms.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.



Committee on Natural Resources and Water

Senate Chamber, March 12, 2020

Madam President: The Chair of the Committee on Natural Resources and Water, to which was referred:

SB 946

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

STERN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 946—An act to amend Section 8201 of the Water Code, relating to flood protection.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Committee on Rules

State Capitol, March 11, 2020

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Kimberley Johnson, Director, California Department of Social Services (5-0)

ATKINS, Chair

Above appointment ordered to unfinished business.

State Capitol, March 11, 2020

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Jeffrey D. Macomber, Undersecretary, Department of Corrections and Rehabilitation (5-0)

ATKINS, Chair

Above appointment ordered to unfinished business.

State Capitol, March 11, 2020

Madam President: The Committee on Rules has considered the following appointment by the Governor and reports the same back with the recommendation of confirmation:

Kenneth J. Pogue, J.D., Director, Office of Administrative Law (5-0)

ATKINS, Chair

Above appointment ordered to unfinished business.



State Capitol, March 11, 2020

Madam President: The Committee on Rules has appointed Amella M. Soto as a member of the Early Childhood Policy Council Workforce Advisory Committee for a term ending at the pleasure of the Committee.

ATKINS, Chair

Committee on Health

Senate Chamber, March 12, 2020

Madam President: The Chair of the Committee on Health, to which was referred:

SB 859

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

PAN, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 859—An act to add Part 3.5 (commencing with Section 120760) to Division 105 of the Health and Safety Code, relating to public health.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time, and transmitted to the Committee on Rules for assignment:

Senate Bill 1473: By Senator McGuire (Coauthors: Senators Beall, Hertzberg, Hurtado, Moorlach, Nielsen, and Wiener)—An act to amend Sections 23010, 25131, 51179, and 54221 of the Government Code, and to amend Section 17609.05 of the Welfare and Institutions Code, relating to local government.

The following measures were offered and referred to the Committee on Rules:

Senate Resolution 84: By Senator Pan—Relative to Asian and Pacific Islander American Heritage Month.

Senate Resolution 85: By Senator Pan—Relative to Ramadan.



REQUESTS TO ADJOURN IN MEMORIAM

Senator Atkins requested that when the Senate adjourns this day it do so in memory of Richard Leo Mafrica of Sacramento.

Senator Nielsen requested that when the Senate adjourns this day it do so in memory of Rose Aquirre of Yuba City.

Senator Stern requested that when the Senate adjourns this day it do so in memory of Gunnery Sergeant Diego D. Pongo of Simi Valley.

Senator Portantino requested that when the Senate adjourns this day it do so in memory of Joe Coulombe of Pasadena.

Senator Mitchell requested that when the Senate adjourns this day it do so in memory of James W. Sweeney of Sacramento.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Atkins, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, March 16, 2020.

MATHEW BURNS, Minute Clerk

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